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# EXHIBIT H

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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AMERICAN UNIVERSITY OF ANTIGUA –  
COLLEGE OF MEDICINE,

Plaintiff,

v.

LEEWARD CONSTRUCTION COMPANY,  
LTD.,

Defendant.  
-----X

Case No. 1:14-CV-08410-DLC/GWG  
Honorable Denise L. Cote  
United States District Judge

**RESTRAINING NOTICE TO  
GARNISHEE**

TO:

SURETEC INSURANCE CO  
c/o Arthur B. Levine Co., Inc.  
370 Lexington Avenue  
New York, New York 10017

GREETING:

WHEREAS, in an action in the United States District Court for the Southern District of New York between AMERICAN UNIVERSITY OF ANTIGUA – COLLEGE OF MEDICINE, plaintiff and Judgment Creditor, and LEEWARD CONSTRUCTION COMPANY, LTD., defendant and Judgment Debtor; the plaintiff and defendant being all the parties to the action, a Judgment was entered on the 5th day of May, 2015, in favor of AMERICAN UNIVERSITY OF ANTIGUA – COLLEGE OF MEDICINE and against LEEWARD CONSTRUCTION COMPANY, LTD. for the sum of ONE MILLION THREE HUNDRED THIRTY-EIGHT THOUSAND SEVEN HUNDRED TWELVE DOLLARS (\$1,338,712), and there is now due thereon the sum of ONE MILLION THREE HUNDRED THIRTY-EIGHT THOUSAND SEVEN HUNDRED TWELVE DOLLARS (\$1,338,712), which remains unpaid; and

WHEREAS, it is believed that you may owe a debt to the Judgment Debtor or are in possession or custody of property in which the judgment debtor may have an interest, including but not limited to the Judgment Debtor's interest in Bond Number 3348489 and/or Bond Number 3349772 entered in the action captioned Leeward Construction Co., Ltd. v. American University of Antigua – College of Medicine, United States District Court for the Southern District of New York, Civil Action No. 12-civv 6280;

NOW TAKE NOTICE, that pursuant to Rule 69 of the Federal Rules of Civil Procedure, and pursuant to Section 5222(b) of the New York Civil Practice Law and Rules, a copy of which is set forth below, you are hereby forbidden to make or suffer any sale, assignment, transfer or interference with any property in which the Judgment Debtor has an

interest, or to pay over or otherwise dispose of any such debt except as therein provided, except upon direction of the United States Marshal for the Southern District of New York or pursuant to an order of the Court, until the judgment is satisfied or vacated.

**TAKE FURTHER NOTICE** that this notice also covers all property in which the Judgment Debtor has an interest hereafter coming into your possession or custody, and all debts hereafter coming due from you to the Judgment Debtor.

### CIVIL PRACTICE LAW AND RULES

Section 5222(b) Effect of restraint; prohibition of transfer; duration. A judgment debtor served with a restraining notice is forbidden to make or suffer any sale, assignment, transfer or interference with any property in which he has an interest, except upon direction of the sheriff or pursuant to an order of the court, until the judgment is satisfied or vacated. A restraining notice served upon a person other than the judgment debtor is effective only if, at the time of service, he owes a debt to the judgment debtor or he is in the possession or custody of property in which he knows or has reason to believe the judgment debtor has an interest, or if the judgment creditor has stated in the notice that a specified debt is owed by the person served to the judgment debtor or that the judgment debtor has an interest in the specified property in the possession or custody of the person served. All property in which the judgment debtor is known or believed to have an interest then in and thereafter coming into the possession or custody of such a person, including any specified in the notice, and all debts of such a person, including any specified in the notice, then due and thereafter coming due to the judgment debtor, shall be subject to the notice. Such a person is forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any person other than the sheriff, except upon direction of the sheriff or pursuant to an order of the court, until the expiration of one year after the notice is served upon him, or until the judgment is satisfied or vacated, whichever event first occurs. A judgment creditor who has specified personal property or debt in a restraining notice shall be liable to the owner of the property or the person to whom the debt is owed, if other than the judgment debtor, for any damages sustained by reason of the restraint. If a garnishee served with a restraining notice withholds the payment of money belonging or owed to the judgment debtor in an amount equal to twice the amount due on the judgment, the restraining notice is not effective as to other property or money.

**TAKE FURTHER NOTICE** that disobedience of this Restraining Notice is punishable as a contempt of court.

### NOTICE TO JUDGMENT DEBTOR OR OBLIGOR

Money or property belonging to you may have been taken or held in order to satisfy a judgment or order which has been entered against you. Read this carefully.

### **YOU MAY BE ABLE TO GET YOUR MONEY BACK**

State and federal laws prevent certain money or property from being taken to satisfy judgments or orders. Such money or property is said to be "exempt." The following is a partial list of money which may be exempt:

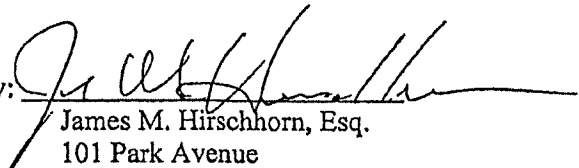
1. Supplemental security income, (SSI);
2. Social security;
3. Public assistance (welfare);
4. Spousal support, maintenance (alimony) or child support;
5. Unemployment benefits;
6. Disability benefits;
7. Workers' compensation benefits;
8. Public or private pensions;
9. Veterans benefits;
10. Ninety percent of your wages or salary earned in the last sixty days;
11. Twenty-five hundred dollars of any bank account containing statutorily exempt payments that were deposited electronically or by direct deposit within the last forty-five days, including, but not limited to, your social security, supplemental security income, veterans benefits, public assistance, workers' compensation, unemployment insurance, public or private pensions, railroad retirement benefits, black lung benefits, or child support payments;
12. Railroad retirement; and
13. Black lung benefits.

If you think that any of your money that has been taken or held is exempt, you must act promptly because the money may be applied to the judgment or order. If you claim that any of your money that has been taken or held is exempt, you may contact the person sending this notice.

Also, YOU MAY CONSULT AN ATTORNEY, INCLUDING ANY FREE LEGAL SERVICES ORGANIZATION IF YOU QUALIFY. You can also go to court without an attorney to get your money back. Bring this notice with you when you go. You are allowed to try to prove to a judge that your money is exempt from collection under New York civil practice law and rules, sections fifty-two hundred twenty-two-a, fifty-two hundred thirty-nine and fifty-two hundred forty. If you do not have a lawyer, the clerk of the court may give you forms to help you prove your account contains exempt money that the creditor cannot collect. The law (New York civil practice law and rules, article four and sections fifty-two hundred thirty-nine and fifty-two hundred forty) provides a procedure for determination of a claim to an exemption.

Dated: New York, New York  
January 7, 2016

SILLS CUMMIS & GROSS P.C.  
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